

BRIEF DESCRIPTION OF THE DRAWINGS

On page 6, before the last paragraph, please insert the following paragraph:

DETAILED DESCRIPTION OF THE DRAWINGS

REMARKS/ARGUMENTS

The claims are 1-10. Dependent claim 6 has been amended to more clearly define the invention and new dependent claims 9 and 10 have been added. Support for new dependent claims 9 and 10 may be found, *inter alia*, in claim 6 as filed. No new matter has been introduced. Reconsideration is expressly requested.

The Examiner objected to the specification as not including section headings. The specification has been amended to incorporate appropriate section headings as requested by the Examiner. In view of the foregoing amendments to the specification, it is believed that the objections to the specification are overcome and Applicant respectfully requests withdrawal of the objection to the specification on this basis.

Claim 6 was rejected under 35 USC § 112, second paragraph. In the Examiner's view, the phrase "such as" in claim 6 rendered the claim indefinite because it was unclear whether the features following this phrase were part of the claimed invention. In response, Applicant has amended claim 6 to delete the phrase "*such as, more specifically, a clutch or a reverse gear*".

The subject matter deleted from claim 6 has been

incorporated into new dependent claims 9 and 10, which each depend from claim 6 and respectively recite "*wherein said further variable transmission part comprises a clutch*" and "*wherein said further variable transmission part comprises a reverse gear*".

In view of the foregoing, it is believed that the rejection of claim 6 under 35 U.S.C. § 112, second paragraph is overcome and Applicant respectfully requests withdrawal of the rejection of claim 6 on this basis.

Claims 1-8 were rejected under 35 USC § 102(e) as anticipated by US Patent Publication No. US2005/0164825 to Reisch. Essentially, it was the Examiner's position that Reisch discloses a continuously variable transmission substantially as set forth in the claims.

This rejection is respectfully traversed.

As set forth in claim 1, Applicant's invention provides a continuously variable transmission having at least two continuously variable transmission parts (6, 7) that are parallelly disposed in a gear train. The two continuously variable transmission parts (6, 7) are connected through a pick-off gear (8) to an input and an output member (9, 10)

respectively.

It is respectfully submitted that *Reisch* fails to teach or suggest a continuously variable transmission having the structure recited in Applicant's claim 1. In particular, *Reisch* shows a continuously variable transmission having two conical rollers with an idler between the two conical rollers which moves along the axis of the rollers to effect a change in the ratio of the transmission in an infinitely variable fashion.

As recited in claim 1, Applicant's continuously variable transmission has "*at least two continuously variable transmission parts*". The transmission according to *Reisch*, however, is only one single continuously variable transmission. Moreover, as recited in Applicant's claim 1, the "*at least two continuously variable transmission parts*" are "*parallelly disposed in a gear train*". *Reisch* fails to disclose or suggest two continuously variable transmission parts that are parallelly disposed in a gear train.

For at least the reasons set forth above, *Reisch* fails to show the continuously variable transmission as recited in Applicant's claim 1. Accordingly, Applicant respectfully submits that claim 1 and claims 2-10, which all depend directly or

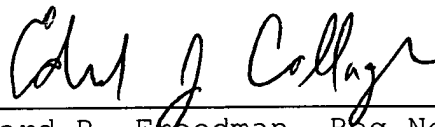
ultimately from claim 1, are patentable over the cited reference.

In summary, the specification has been amended to insert section headings, claim 6 has been amended and new claims 9 and 10 have been added. No new matter has been added.

In view of the foregoing, Applicant respectfully submits that the pending claims, which are claims 1-10, are patentable over the cited reference. It is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,

Ulrich ROHS ET AL.



COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
EJC:ea

Edward R. Freedman, Reg.No.26,048
Frederick J. Dorchak, Reg.No.29,298
William C. Collard, Reg.No. 38,411
Edward J. Callaghan, Reg. No. 46,594
Attorneys for Applicant

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Mail Stop: Amendment Commissioner of Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on January 15, 2009


Amy Klein